

sels, for their polite invitation, the acceptance of which is respectfully declined ; adopted.

On motion of Mr. Taylor, the Senate adjourned until nine o'clock to-morrow morning.

WEDNESDAY, Nov. 16, 1853.

The Senate was called to order by the President pursuant to adjournment—roll called—quorum present.

The journal of yesterday read and adopted.

At the request of Mr. Scott, the Senate granted Mr. Armstrong leave of absence.

Messrs. Burks and Doane were excused from attendance on account of indisposition.

Mr. Durst presented the petition of John A. Vernon, asking to be reimbursed for extra guard to secure convicts sentenced to the penitentiary, which was referred to the committee on Finance ; also, the petition of Green Weaver, praying for a certificate for 320 acres of land ; referred to the committee on Private Land Claims.

Mr. Lott presented the petition of Rhodolphus and William Johnson, asking for land ; referred to the same committee.

Mr. Wren presented the petition of M. F. Valdes for relief ; referred to the committee on the Judiciary.

Mr. Paschal presented the petition of A. Morrell for relief, which was referred to the committee on Public Debt ; also, the petition of William Henry Dangerfield for relief ; which was referred to the committee on Public Lands.

Mr. Taylor, of the committee on Engrossed Bills, reported the following bills as correctly engrossed :

A bill to amend an act to incorporate the Chappell Hill Male and Female Institute ;

A bill to amend the 26th section of an act concerning crimes and punishments ;

A bill to change the time of the biennial meeting of the Legislature of the State of Texas ;

A bill to incorporate the Sharon Union School ; and

A bill to incorporate the Black Cypress Bridge, Ferry and Turnpike Company.

Mr. Jowers, chairman of the committee on Public Lands, to whom was referred a bill supplementary to an act entitled an act supplementary to an act for the relief of the citizens of Mercer's Colony, of February 2, 1850, reported back to the Senate a substitute therefor, and recommended its adoption.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a bill to incorporate the Grand Temple of Honor of the State of Texas, and subordinate temples under its jurisdiction, reported a substitute for the bill and recommended its adoption and passage.

Mr. Potter, from the same committee, also made the following report :

The Judiciary committee have considered a bill for the relief of James McGloin, and find that under the law providing for suits empresario against the Republic and State of Texas for the recovery of premium lands due such empresario—Hart. Digest, Articles 1863 and 2159—John McMullen and James McGloin brought suit in the district court of Travis county, and on the 22d day of October, 1850, recovered judgment in said court for five leagues and eight labors of land, and the clerk of said court was ordered to issue to said John McMullen and James McGloin five certificates for one league each, and one certificate for eight labors, which certificates were accordingly issued. It appears that the proper law officer of the State was content with the judgment, as no appeal was taken thereon within the time required by law, but it is thought that there is no provision in existing laws authorizing the location of the certificates, and patenting of such locations. As the State thought proper to authorize the suit against her, the committee are of the opinion that the parties are entitled to be placed in such situation and furnished such remedy as will enable them to protect the rights adjudged to them by the court. The committee, therefore, recommend the passage of the bill with an amendment.

Amend by adding at the end of the first section as follows : "Provided, this act shall not be so construed as to affect the rights of any third party heretofore acquired by virtue of any valid grant, survey, location or entry heretofore made; nor shall said certificates be located or patented on any public land reserved from location by the existing laws of this State."

Mr. Newman introduced a bill to dispose of by entry, sale, survey and patent, small tracts or fractions of the public domain, consisting of not exceeding one hundred and sixty acres each, confined on all, or at least two sides by pre-existing lines of other surveys or grants; read first time.

Mr. Edwards introduced a bill for the relief of William Griffin; also, a bill defining the duties of clerks of the district courts in certain cases; each read first time.

Mr. Paschal introduced a joint resolution to amend the Constitution of the State of Texas; read first time.

Mr. Allen introduced a bill requiring all genuine evidence of claim to land to be located by a time therein specified ; read first time.

Mr. Scarborough introduced a bill to punish certain offences therein named ; read first time.

Mr. Superviele introduced a bill to amend the 64th section of an act to organize justices' courts, and to define the powers and jurisdiction of the same, approved 20th day of March, 1848 ; read first time.

On motion of Mr. Holland, the committee on contingent expenses were instructed to report a bill making an appropriation for the mileage and per diem pay of the members of the present Legislature.

On motion of Mr. Paschal, the Sergeant-at-Arms was required to have placed in each of the Senate committee-rooms one dozen chairs ; also, two tables, inkstands and pens, and that said chairs be taken from those now in the city of Austin and lately procured for the committee-rooms of the new capitol.

ORDERS OF THE DAY.

A bill to change the time of the biennial meeting of the Legislature of the State of Texas ; read third time and passed by the following vote :

YEAS—Messrs. Bryan, Edwards, Gage, Guinn, Holland, Kyle, Lott, Lytle, Martin, McDade, Potter, Scott, Taylor and Whitaker—14.

NAYS—Messrs. Allen, Durst, Hart, Hill, Jowers, McAnelly, Newman, Paschal, Scarborough, Sublett, Superviele, Weatherford and Wren—13.

A bill to amend an act to incorporate the Chappell Hill Male and Female Institute ; read third time and passed by the following vote :

YEAS—Messrs. Allen, Bryan, Edwards, Gage, Guinn, Hill, Holland, Jowers, Kyle, Lott, Lytle, Martin, McAnelly, McDade, Paschal, Potter, Scarborough, Scott, Sublett, Superviele, Taylor and Whitaker—22.

NAYS—Messrs. Durst, Hart, Newman, Weatherford and Wren—5.

A bill to incorporate the Sharon Union School ; read third time and passed by the following vote :

YEAS—Messrs. Allen, Bryan, Durst, Edwards, Gage, Guinn, Hart, Hill, Holland, Jowers, Kyle, Lott, Lytle, Martin, McAnelly, McDade, Newman, Paschal, Potter, Scarborough, Scott,

Sublett, Superviele, Taylor, Weatherford, Whitaker and Wren—27.

NAYS—None.

A bill to incorporate the Austin and Houston Turnpike Company; read third time.

Mr. Sublett offered the following amendment, to come in at the end of the fourth section:

"Provided nothing in this act shall prevent any railroad company from having right of way between the cities of Austin and Galveston;" adopted.

The bill, as amended, was then passed by the following vote:

YEAS—Messrs. Bryan, Durst, Gage, Guinn, Hill Jowers, Kyle, Lott, Lytle, Martin, McAnelly, McDade, Newman, Paschal, Potter, Scarborough, Scott, Sublett, Superviele, Taylor, Whitaker and Wren—22.

NAYS—Messrs. Allen, Edwards, Hart and Weatherford—4.

A bill to incorporate the Black Cypress Bridge, Ferry and Turnpike Company; read third time and passed by the following vote:

YEAS—Messrs. Allen, Bryan, Durst, Edwards, Gage, Guinn, Hill, Jowers, Kyle, Lott, Lytle, Martin, McAnelly, McDade, Newman, Paschal, Potter, Scarborough, Scott, Sublett, Superviele, Taylor, Weatherford, Whitaker and Wren—25.

NAY—Mr. Hart—1.

A bill to amend the 26th section of an act concerning crimes and punishments; read third time and passed.

A bill to establish the Galveston, Houston and Henderson Railroad Company; read second time, and, on motion of Mr. Gage, referred to the committee on Internal Improvements.

A bill to amend the second section of an act amending an act authorizing and requiring the county courts to regulate roads; read second time, and, on motion of Mr. Guinn, referred to the committee on Roads, Bridges and Ferries.

A bill setting apart and reserving two leagues of land around each military post on the frontier, for the present use and occupancy of the United States troops; read second time, and, on motion of Mr. Jowers, referred to the committee on Military Affairs.

A bill to confirm certain headright grants of lands lying on the boundary of Robertson's and Austin's Little Colonies; read second time, and, on motion of Mr. Scott, referred to the committee on Public Lands.

Resolution of the Senate that the committee on the Judiciary be instructed to inquire into the expediency of reporting a bill

repealing the present probate law, and instituting a new one in its stead in the shortest possible manner, with a less fee than is now allowed by law for winding up estates of deceased persons; read and adopted.

Resolution of the Senate that a committee be appointed on the part of the Senate, to take into consideration the propriety of passing additional laws regulating the sale of spirituous liquors; read and adopted.

Messrs. Holland, Lytle, Durst, Guinn and Allen, were appointed said committee.

Mr. Weatherford moved that the Senate adjourn until three o'clock, P. M.; lost.

On motion of Mr. Paschal, the Senate adjourned until 9 o'clock to-morrow morning.

THURSDAY, November 17, 1853.

The Senate was called to order by the President pursuant to adjournment—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Wren presented the petition of Mary J. Woodward, asking for relief; referred to the committee on Private Land Claims.

Mr. Kyle, chairman of the committee on Roads, Bridges and Ferries, to whom was referred a bill to amend the 2d section of an act amending an act authorizing and requiring the county courts to regulate roads, reported the same back to the Senate and recommended its passage.

Mr. Potter introduced a bill concerning certain liabilities reported by the Auditor and Comptroller, and confirmed by the Legislature; read first time.

Mr. Holland offered the following resolution:

Resolved by the Senate, That the 32d degree of north latitude, commencing on the eastern boundary of the State, be and the same is hereby regarded as the basis for the general direction of the Pacific and Atlantic Railroad.

Resolved, 2d, That the Senate committee on Internal Improvements be, and they are hereby instructed to so amend any bill providing for the construction and extension of said route centrally through the State, on said basis, as to embody said basis in its provisions as directed in the above resolution.

Mr. Scarborough introduced a bill to amend an act to incorporate the city of Brownsville, approved February 7th, A. D., 1853; read first time.